

Georgia Department of Natural Resources

Environmental Protection Division • Watershed Protection Branch
2 Martin Luther King Jr. Dr • Suite 1152 East • Atlanta • Georgia 30334
(404) 463-1511; Fax (404) 651-8455
Judson H. Turner, Director

NOV 03 2015

Mr. Randy Baker
4665 Oakdale Rd. SE
Smyrna, Georgia 30080

Re: Request for Stream Buffer Variance under
Provisions of O.C.G.A. 12-7-6(b)(15)
The Terraces at Oakdale
Townhome Construction
Cobb County

Dear Mr. Baker:

Thank you for your comment letter received by the Georgia Environmental Protection Division regarding the above referenced stream buffer variance request. We appreciate you making us aware of your concerns.

After receiving your comments we forwarded them to the variance applicant and requested that they consider them and provide a response. We have reviewed the applicant's response (enclosed) and are satisfied that your concerns have been adequately addressed without the need for any changes to the variance as proposed. Because the applicant has met all applicable requirements, the requested variance has been granted. A copy of the Director's letter granting the variance is enclosed.

Again, thank you for taking the time to share your concerns with us; we appreciate your commitment to helping us protect our state's water resources. If you have any questions, please contact Peggy Chambers, Erosion and Sedimentation Control Unit, at (404) 651-8549.

Sincerely,

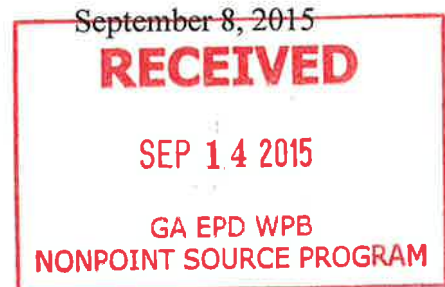


Glen Behrend, P.E.
Program Manager
NonPoint Source Program

GB:pc
Enclosure

Randy Barker
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Smyrna, Ga. 30080
770-435-4665
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Program Manager
NonPoint Source Program
Erosion and Sedimentation Control
2 MLK Jr., Dr. SW
Suite 1152
Atlanta, Ga. 30354



Re: Advisory BV-033-15-08, The Terraces at Oakdale/Townhome Construction (subject property)

To Whom It May Concern:

I live directly across the street from the subject property, and the stream in question runs next to my property. I am opposed to this request for variance. I am also concerned about anticipated stream related activity that apparently is slated to take place without EPD involvement.

My wife grew up across the street from the subject property. I grew up just down the street. We know this area quite well. The subject property has a stream that was piped in years ago before regulatory oversight was required. I do not know the linear feet of the stream that was buried, but based on a plat and a crude scale measurement with a ruler I believe it to be around 450 feet. This has resulted in a significant loss of flood plain. Also, this property has received substantial economic benefit from this buried stream, and they should not be entitled to more. For these reasons, I believe this request should be denied.

From the three zoning applications and related activities associated with this project, I have learned, to the best of my understanding, that the currently buried stream will be rerouted. The stream currently runs center to just off-center through the flat portion of this property. (See "Photo 7" attached.) My understanding is that the stream will be dug up and moved to the northern and eastern edges of the property. Along the eastern edge it will then have to make a ninety degree left turn into the existing culvert under the road. From there it then flows alongside our property.

I believe that 108 ft. of newly buried stream plus the rerouted and reburied stream will add to the velocity of the water as it leaves the subject property and flows next to our property. This then will worsen downstream conditions. (See "Photo 9" attached.)

Also, I question the accuracy of the current request for a variance to pipe the stream. It seems that the request might should have been to move and pipe the 108 ft., since it will probably have to be moved to meet the other segment after it is moved.

I am curious to know how moving and reburying of this stream can proceed without EPD involvement.

Thank you for your consideration.

Sincerely,

Photo 7



Views of creek from Oakdale Road standing at culvert that goes under road.



Culvert at east end of creek at point it leaves Barker property and goes under CSX RR. ABOVE before CSX cleared blockage and BELOW after.





September 23, 2015

Ms. Peggy Chambers
Georgia Department of Natural Resources
Environmental Protection Division
Water Protection Branch
4220 International Parkway, Suite 101
Atlanta, Georgia 30354

Subject: **Response to Comments for
the 25-Foot Vegetative Buffer Encroachment for
Terraces at Oakdale
Cobb County, Georgia
TPA Project No 1-15-0074**

Dear Ms. Chambers:

On behalf of our client, Pulte Home Corporation, Travis Pruitt & Associates, Inc. (TPA) hereby submits the response to the comments received from you on September 22, 2015. Based on the letter attached to the email TPA received, the comments associated with the project were limited to comments received from Mr. Randy Baker. The comments were concerning the existing 450 linear feet of pipe that was previously installed, the loss of floodplain associated with the previous pipe installation, the velocity of water that will flow off the site following completion of the project, relocation of the existing pipe from the center of the site to the northern and eastern portion of the project site, and how relocating the pipe can proceed without Georgia Environmental Protection Divisions (EPD) involvement.

Mr. Baker's first comment concerns the approximately 450 linear feet of stream that was previously piped. It is our understanding that the portion of stream that is currently piped does not have an undisturbed buffer regulated by the GAEPD. Therefore, it was not considered as a component of the proposed stream buffer variance application. Mr. Baker's second comment also deals with the previous piped portion of the stream. Mr. Baker states that the installation of the approximately 450 linear feet of stream resulted in significant loss of floodplain and food storage. In my opinion, he would be accurate in stating this since the current site does not have any form of detention, the downstream flows have been increased during storm events. However, the current site plan addresses this issue by providing detention, water quality and downstream channel protection. Based on the Hydrology Study prepared by Planners and Engineers Collaborative (PEC), the peak flows that leave the property will be reduced from current flows. The amount of water from upstream of the site will remain the same since the proposed development does not affect water from upstream of the site. There is no change to the amount of water from current flows that is allowed to bypass the development. The installation of the detention pond will provide flood control and downstream channel protection, which was lost by the previous site development activities.

Ms. Peggy Chamber
Georgia Environmental Protection Division
September 23, 2015
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In the next 2 paragraphs Mr. Baker comments that, the existing 450 feet of piped stream will be dug up and relocated. The pipe that is currently located in the approximate center of the site will be relocated to the northern and eastern property boundary as shown in the Construction and Erosion Control Plans submitted with the variance application. However, the old pipe will not be removed until the new storm water system is installed. The new pipe will be installed along the eastern and northern property boundary. Once the variance has been issued a new headwall will be placed along the northern property boundary. This headwall will intercept the offsite water and allow it to continue to flow around the development, as it currently does through the existing pipe. Following completion of the new pipe and headwall, the offsite storm water will be diverted into the new storm water system and the old storm water pipe will be removed. This is purpose and necessity of submitting the variance application.

Again, as previously discussed, the volume of storm water that flows through the new pipe is not affected by the proposed development. Storm water from the development will not flow into this storm pipe system until it has been metered by the storm water detention pond. As discussed, all storm water from the new development will be diverted into the new storm water system on the site and flow into the storm water detention facility located along the eastern property boundary. As previously stated, the purpose of the rerouted storm water pipe system is to continue to take the existing volume of offsite water around the site and discharge it in the same location it currently is being discharged.

Mr. Baker's last comment, states that he is curious how this can proceed without EDP involvement. The demolition of the existing buildings has started and a grading only permit has been issued by Cobb Count. However, this permit states that "no stream buffers will be disturbed until EPD permit has been obtained". Additionally, no activities within the undisturbed stream buffer have or will proceed prior to EPD's approval of the variance. The headwall and storm pipe that is within the buffer will not be installed until the variance is received.

We believe we have provided the necessary information to address the comments concerning the stream buffer variance approval. However, if you have any questions or require any additional information, please call or email (770) 318-5560 or wade@travispruitt.com.

Respectfully submitted,
Travis Pruitt & Associates, Inc.

A handwritten signature in black ink, appearing to read "S. Wade Gilbert", is written over a horizontal line.

S. Wade Gilbert, LEED AP BD+C
Vice President

SWG